

ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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WASHINGTON, DC 20515-6216

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October 17, 2022

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
301 7th Street SW
Washington, DC 20528

Dear Secretary Mayorkas:

We are investigating the Biden Administration's misuse of federal criminal and counterterrorism resources to target concerned parents at school board meetings. We know from publicly available information that Department of Homeland Security (DHS) employees were involved in discussions surrounding the National School Boards Association's September 29, 2021, letter to President Biden and its request that the Biden Administration use the Patriot Act to target parents.¹ The American people, however, deserve much more accountability and transparency.

On June 14, 2022, Committee Republicans wrote to you requesting documents and information regarding DHS's involvement in the Biden Administration's misuse of federal law-enforcement resources.² The Department responded to this request—over three months later—on September 16, 2022, stating that it was “working to identify responsive records.”³ As of today, over four months since our initial request and a month since your initial response, the Department has failed to produce any of the requested documents or information.

Parents voicing their concerns at school board meetings are not domestic terrorists. Yet, the Attorney General's anti-parent directive of October 4, 2021, remains in effect, and as a result, the threat of federal law enforcement continues to chill the First Amendment rights of American parents. Committee Republicans intend to continue to pursue this serious misuse of federal law-enforcement resources, including if necessary into the 118th Congress. We reiterate our requests,

¹ *Final Report On the Events Surrounding the National School Boards Association's September 29, 2021, Letter to the President*, NATIONAL SCHOOL BOARDS ASSOCIATION at 5 & 45 (May 20, 2022).

² Letter from Rep. Jim Jordan et al., Ranking Member, H. Comm. on the Judiciary, to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Jun. 14, 2022).

³ Letter from Ms. Alice Lugo, Assistant Sec'y for Legislative Affairs, U.S. Dep't of Homeland Sec., to Rep. Jim Jordan, Ranking Member, H. Comm. on the Judiciary (Sept. 16, 2022).

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which are itemized in the attached appendix and incorporated herein, and ask that you, as the custodian of all Departmental records, produce the entirety of the requested material as soon as possible but no later than October 31, 2022.

Furthermore, this letter serves as a formal request to preserve all existing and future records and materials in your possession relating to the topics addressed in this letter. You should construe this preservation notice as an instruction to take all reasonable steps to prevent the destruction or alteration, whether intentionally or negligently, of all documents, communications, and other information, including electronic information and metadata, that are or may be responsive to this congressional inquiry. This instruction includes all electronic messages sent using your official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.

Sincerely,

A handwritten signature in blue ink that reads "Jim Jordan". The signature is stylized with a large "J" and a cursive "Jordan".

Jim Jordan
Ranking Member

cc: The Honorable Jerrold L. Nadler
Chairman

Enclosure

Appendix: Document Requests to the Department of Homeland Security

June 14, 2022:

1. All documents and communications referring or relating to the National School Boards Association's September 29, 2021, letter to President Biden or the Attorney General's October 4, 2021, memorandum;
2. All documents and communications between or among Department of Homeland Security employees and National School Boards Association staff, officers, and/or executive board members, including but not limited to the communications of Julia Treanor, for the period January 20, 2021, to the present; and
3. Please explain whether you consider the Attorney General's October 4, 2021, memorandum to be lawful and whether you, or any Department of Homeland Security officials raised concerns about its enforcement.